

" This coincidence between the boundaries established by Great Britain and France, in 1763, and between Great Britain and the United States, 1783 and 1818, can scarcely be accounted for on any other supposition than that the said line had been previously established by the Commissioners under the Treaty of Utrecht.

" This conclusion is strengthened by a further coincidence in the boundaries fixed in the said Treaties of 1763 and 1783. In both the Mississippi is adopted as the boundary. One of the lines then (the Mississippi), previously established between Great Britain and France, being thus, beyond all cavil, adopted between the United States and Great Britain, may it not be fairly inferred, in the absence of all proof to the contrary, and with strong corroborating proof in favour of the inference drawn from the stipulation of treaties, lines of demarcation on old maps, &c., that the other line (forty-ninth parallel), equally beyond cavil, established by the United States and Great Britain, was also the same one previously existing between Great Britain and France ?

" But such line had no existence, unless under the stipulation of the Treaty of Utrecht. For these reasons the Committee have adopted the opinion, that the forty-ninth parallel of latitude was actually established by the Commissioners under that Treaty. It may not be unimportant here to observe that this forty-ninth parallel is not a random line arbitrarily selected, but the one to which France was entitled upon the well settled principle that the first discoverer of a river is entitled, by virtue of that discovery, to all the unoccupied territory watered by that river and its tributaries."

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Captain Carver, in his account of his travels already alluded to, after describing the countries from the Grand Portage, above the head of Lake Superior, to and around the Lake of the Woods, and from the head waters of the Mississippi—or what was supposed to be the head waters thereof—northward to and around Lake Winnipeg, and along the Bourbon River from its source, and speaking of the Assinipoil, the Killistinoes, and other Indian tribes inhabiting those regions, and excusing them for trading with others than the Hudson's Bay Company, on account of the great distance they had to travel to that Company's trading posts, says, (page 112) :—

" It is true that the parts they inhabit are within the limits of the Hudson's Bay Territories, but the Company must be under the necessity of winking at an encroachment of this kind, as the Indians would, without doubt, protect the traders when amongst them."

Here is a positive averment made in 1766, that these countries were " within the limits of the Hudson's Bay Territories," and Mr. Carver so indicated them on a map in his work.